

1 JUDGE RONALD B. LEIGHTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

8 UNITED STATES OF AMERICA,) NO. CR05-5495RBL
9 Plaintiff,)
10 vs.) AMENDED ORDER GRANTING
11) UNOPPOSED MOTION TO
12 JULIO C. ORELLANA,) CONTINUE TRIAL DATE
13 Defendant.)
14 _____)

15 Based on the unopposed motion of the defendant to continue the trial date, and
16 the reasons set forth in the affidavit of defense counsel in support of the motion, the
17 Court makes the following findings of fact and conclusions of law:

- 18 1. The ends of justice served by granting this continuance outweigh the best
19 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).
20 2. Proceeding to trial absent adequate time for the defense to prepare would
21 result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).
22 3. The defense needs additional time to explore issues of some complexity,
23 including all relevant issues and defenses applicable to the case, which would make it
24 unreasonable to expect adequate preparation for pretrial proceedings or for trial itself
25 within the time limits established by the Speedy Trial Act and currently set for this case.
26 18 U.S.C. § 3161(h)(8)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendant the reasonable time for effective preparation his defense. 18
3 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from November 28,
6 2005 to FEBRUARY 21, 2006, at 9:00 am. The resulting period of delay from
7 November 28, 2005, to FEBRUARY 21, 2006, is hereby excluded for speedy trial
8 purposes under 18 U.S.C. § 3161(h)(8)(A) and (B).

9 Pre-trial motions shall be due on January 3, 2006. (Remain as previously set)

10 Pre-trial conference shall be on February 15 2006, at 9:00 am.

11 IT IS SO ORDERED this 10th day of November, 2005.



12 RONALD B. LEIGHTON
13 UNITED STATES DISTRICT JUDGE

14 Presented By:

15 /s/ Russell V. Leonard

16 Russell V. Leonard
17 Attorney for Defendant

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